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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,656	11/12/1999	NICHOLAS J. ELSEY	1631077-0028	4745

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EXAMINER

LE, DEBBIE M

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 03/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/441,656

Applicant(s)

STAFFORD ET AL.

Examiner

DEBBIE M LE

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

Applicants' arguments filed on 1/10/02 (paper # 10). Claims 22-71 are presented for examinations.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22-23, 25-28, 30-32, 33-39, 41-42, 45-48, 50-53, 55-56, 58-64, 66-67, 70-71 are rejected under 35 U.S.C. 102(b) as being anticipated by Brennan et al (US Patent 5,329,578).

As per claim 22, Brennan discloses a communication system for routing a call to a subscriber comprising:

An interface for receiving signals in establishing a communication connection with an initiator of the communication connection, one or more data elements in the data source which are associated with the initiator of the communication connection being identified based on an identifier representative of the initiator in the received signals; a receiver for receiving from the initiator a request for taking an action concerning a selected one of the data elements through the established communication connection, the action being associated with an access right requirement; a processor for identifying an access right of the initiator concerning the selected data element; a

Art Unit: 2177

device for taking the action when the access right of the initiator meets the access right requirement (col. 12, lines 38-55, col. 13, lines 3-56);

As per claim 23, Brennan teaches wherein the selected data element includes information concerning an individual (col. 8, lines 47-60).

As per claim 25-27, Brennan teaches wherein the action includes reading, editing, deleting the selected database (col. 13, lines 45-56).

As per claim 28, Brennan teaches wherein the communication connection includes a telephone connection (fig. 3a).

As per claim 33, Brennan teaches the provider includes an operator in a directory assistance center (col. 5, lines 58-67, col. 13, lines 3-16).

As per claim 42, Brennan teaches the communication service includes a voice communication, directory assistance service (col. 12-13, lines 64-16).

Claims 30, 41, 47, 55 are rejected by the same rationale as stated in independent claim 1 argument.

Claims 31, 34-39, 45- 48, 50-53, 56, 58-64, 66-67, 70-71 have similar limitations as claims 23, 25-28, 33, 42; therefore, they are rejected under the same reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 24, 29, 32, 40, 43-44, 49, 54, 57, 65, 68-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al (US Patent 5,329,579) in view of Murphy (US Patent 5,644,711)

As per claim 24, Brennan does not explicitly teach the selected data element includes information concerning a group. However, Murphy teaches the database includes information concerning a group (fig. 4, col. 5-6, lines 60-4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brennan with Murphy to provide the data include information concerning a group because it would enable user to have wide access to a particular directory in order to exchange information.

As per claim 29, Brennan does not explicitly teach the communication connection includes an internet connection. However, Murphy teaches the communication connection includes an internet connection (fig. 2, col. 2, lines 40-55, col. 4-5, lines 49-4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brennan with Murphy to implement an internet connection because it would provide a user with more efficiencies in the way of communication.

As per claim 43, Brennan does not explicitly teach the database includes a directory. However, Murphy teaches teach the database includes a directory (fig. 4, col. 5-6, lines 60-4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brennan with Murphy to

Art Unit: 2177

provide the database containing a directory in order to allow user to navigate to their destination to obtain the information that they wish.

As per claim 44, Murphy teaches the communication service includes a directory assistance service (col. 2-3, lines 56-3)

Claims 32, 40, 49, 54, 57, 65, 68-69 have similar limitations as claims 24, 29, 43-44; therefore, they are rejected under the same reasons.

Response to Arguments

Applicant's arguments filed 1/10/02 have been fully considered but they are not persuasive.

Applicants argue that Brennan does not teach or suggest the claimed invention where the data file identified by an identifier representative of the initiator of the communication connection.

In response, the examiner respectfully disagrees. Brennan et al ('578) teaches at figure 1a, elements 14, 12, 16, 15 that "When a caller 14 dials the personal number (PN) of a PCS subscriber 15, the call is intercepted by the host node 11 as being a call directed to PCS service subscriber. From this point on, the service node 10 will interact with the host node 11 to attempt call completion according to the subscriber's profile contained at the service node 10". From the above passages, it is clear that the data file identified by an identifier representative (element 12) of the initiator (element 14) of the communication connection. Thus, Brennan does indeed anticipated the claimed

invention where the data file identified by an identifier representative of the initiator of the communication connection.

Applicants agree that Brennan does not teach or suggest the claimed invention selected from a plurality of access levels and accorded at least the level of access to the directory allocated to the user.

In response, the examiner respectfully disagrees. Brennan does teach selected from a plurality of access levels and accorded at least the level of access to the directory allocated to the user at column 2, lines 18-22 that "incoming call management is provided with a "Special Callers List" feature to identify those callers who should receive forced urgency, call announcing, or call blocking treatment" at column 4-5, lines 66-39, Brennan discloses that "Another file which makes up the subscriber's profile is the Callers List 26. This list stores the identities of callers requiring special treatment, and the special treatment that is provided to them. Callers can be identified by CLID, or by an Identification Password entered through DTMF. An identification Password can be given by the subscriber to a group of callers, allowing all of them access the same special treatment...Also, a special treatment can give a call a Normal, Priority, or Emergency status, **if the call is to be forced to a specific status level.**" From the above passages, it is clear that Brennan does teach the claimed selected from a plurality of access levels and accorded at least the level of access to the directory allocated to the user.

Applicants agree that Brennan does not teach or suggest searching a database for contact information concerning a desired party **to which a communication**

connection is initiated for the user, where the contact information is associated with an access right requirement. Applicants also argue that Brennan does not teach identifying an access right of the user concerning the contact information, and allowing disclosure of the contact information to the user when the access right of the user satisfies the access right requirement.

In response, the examiner disagrees. It is noted that the limitation **to which a communication connection is initiated for the user** is not described in the claimed language. Moreover, Brennan does teach searching a database for contact information concerning a desired party, where the contact information is associated with an access right requirement; identifying an access right of the user concerning the contact information, and allowing disclosure of the contact information to the user when the access right of the user satisfies the access right requirement at column 6, lines 48-67, col. 7, lines 1-5 that "subscribers may wish to change, at regular intervals, the way their calls are managed", at column 13, lines 5-16 that "when a subscriber attempts to access his or her PCS. The subscriber Service Interface is directly accessed by the subscriber calling a special number, or by calling his own personal number and pressing *. This interface shows the possible mechanisms for the subscriber to control some of his most dynamic data." From the above passages, it is clear that Brennan does teach the claimed searching a database for contact information concerning a desired party, where the contact information is associated with an access right requirement; identifying an access right of the user concerning the contact information,

and allowing disclosure of the contact information to the user when the access right of the user satisfies the access right requirement.

Conclusion

Claims 22-71 are rejected.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose phone number is (703) 305-9601 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is 703-308-6049. The examiner can normally be reached on 8:30-5:00.

Art Unit: 2177

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-7960.



Debbie Le
March 6, 2002

DEBBIE M LE
Examiner
Art Unit 2177



JOHN BREENE
SUPERVISORY PATENT EXAMINER
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